

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In Re: Patrick Suschak and Christina Suschak

Bankruptcy No. 19-20402-CMB

Chapter 13

Debtors

Patrick Suschak and Christina Suschak

Movants

v.

DD No.

Related to DD No. 62, 71, 91

Ronda J. Winnecour, Chapter 13 Trustee,
Freedom Mortgage Corporation
Respondents

**ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY FREE AND DIVESTED
OF LIENS**

11th

AND NOW, this 10th day of August, 2021, on consideration of the Debtors'

Motion for Sale of Property Free and Divested of Liens to Jarod L. Trunzo for \$200,000, after hearing held via Zoom video conferencing, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above named Respondents, was effected on the following secured creditors whose liens are recited in said Motion for private sale, viz:

DATE OF SERVICE	NAME OF LIEN AND/OR SECURITY
7/16/2021	Freedom Mortgage Corporation Served electronically via ECF System to Counsel of Record, Mario Hanyon, Esq. Mortgage lien

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving

party as shown by the certificate of serviced duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was duly advertised in the Latrobe Bulletin on July 23, 2021 and in the Westmoreland Legal Journal on July 21, 2021, as shown by the Proof of Publications duly filed.

(4) That at the sale hearing the highest/best offer received was that of the above Purchaser(s) and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$202,000 with \$2,000 seller's assist offered by Jarod L. Trunzo was a full and fair price for the property in question.

(6) That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d. 143 (3d Cir. 1986).

(7) That the commission earned by the Debtors' realtor, Scalise Real Estate of 6%, totaling \$12,000 in this sale, is appropriate and proper.

Now therefore, IT IS ORDERED, ADJUDGED AND DECREED that the sale by Special Warranty deed of the real property described as 712 Chestnut Street, Latrobe, PA 15650 is hereby CONFIRMED to Jarod L. Trunzo for \$202,000 with \$2,000 seller's assist, free and divested of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to the Purchaser(s) above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED that the above recited liens and claims, be, and they hereby are, transferred to the proceeds of sale, if and to the extent they may be determined to be

valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing, in the order provided. Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order.

- (1) Delinquent real estate taxes, if any;
- (2) Current real estate taxes, water/sewage bills, and condo/maintenance fees, pro-rated to the date of closing;
- (3) Realty Transfer taxes in the amount of \$2,000;
- (4) Deed preparation costs of \$175;
- (5) Municipal Certification Fees of \$300;
- (6) Settlement fees of \$300;
- (7) Realtor's commission of \$12,000;
- (8) Additional brokerage charges of \$275;
- (9) The costs of local newspaper advertising in the amount of \$60.20, paid to Counsel for the Debtor;
- (10) The costs of legal journal advertising in the amount of \$43.00 paid to Counsel for the Debtor;
- (11) The balance of the mortgage lien held by Freedom Mortgage Company, totaling \$163,947.71 as of August 20, 2021;

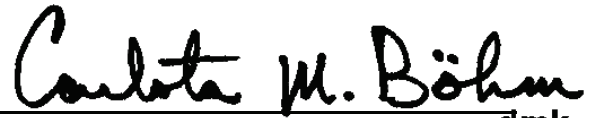
- (12) Chapter 13 Trustee “percentage fees” in the amount of \$0.00 payable to
“Ronda J. Winnecour, Ch. 13 Trustee, P.O. Box 2587, Pittsburgh, PA.
15230”;
- (13) Motion filing fees of \$181, to Counsel for the Debtor;
- (14) Prior motion filing fees of \$181, to Counsel for the Debtor;
- (15) Prior advertising costs of \$98.90, to Counsel for the Debtor;
- (16) The Debtors' exemption, up to a maximum of \$42,706, to be sent to
Counsel for the Debtor to be provided to Debtors;
- (17) The “net proceeds” from the closing as identified on the HUD-1 to be
provided to the Chapter 13 Trustee for purposes of payment to unsecured
creditors.

It is FURTHER ORDERED that:

- (1) Closing shall occur within forty-five (45) days of this Order and, within
five (5) days following closing, the Movant shall file a report of sale;
- (2) This Sale Confirmation Order survives any dismissal or conversion of the
within case; and,

(3) Within five (5) days of the date of this Order, the Movant shall serve a copy of the within Order on each Respondent (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.

BY THE COURT:

A handwritten signature in black ink that reads "Carlota M. Böhm". The signature is written in a cursive style with a large initial 'C'.

Carlota M. Böhm, Chief Judge
United States Bankruptcy Court
Western District of Pennsylvania

dmk

FILED
8/11/21 11:16 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Patrick Suschak
Christina Suschak
Debtors

Case No. 19-20402-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 11, 2021

User: dsaw
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 13, 2021:

Recip ID	Recipient Name and Address
db	#+ Patrick Suschak, 712 Chestnut Street, Latrobe, PA 15650-2004
jdb	Christina Suschak, 721 Mission Road, Latrobe, PA 15650-2617

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 13, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 11, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FREEDOM MORTGAGE CORPORATION bnicholas@kmlawgroup.com
Justin P. Schantz	on behalf of Joint Debtor Christina Suschak jschantz@my-lawyers.us colecchia542@comcast.net;office@my-lawyers.us;sshpley@my-lawyers.us;jmonroe@my-lawyers.us;skerr@my-lawyers.us
Justin P. Schantz	on behalf of Debtor Patrick Suschak jschantz@my-lawyers.us colecchia542@comcast.net;office@my-lawyers.us;sshpley@my-lawyers.us;jmonroe@my-lawyers.us;skerr@my-lawyers.us

District/off: 0315-2

User: dsaw

Page 2 of 2

Date Rcvd: Aug 11, 2021

Form ID: pdf900

Total Noticed: 2

Mario J. Hanyon

on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbecf@brockandscott.com
mario.hanyon@brockandscott.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Robert Davidow

on behalf of Creditor FREEDOM MORTGAGE CORPORATION robert.davidow@phelanhallinan.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor FREEDOM MORTGAGE CORPORATION pawb@fedphe.com

TOTAL: 9